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MEDTRONIC LAW DEPT

NO. 8948 P. 1/5

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P-9153.01

To: Examiner Lynda Jasmin
Company: U.S. Patent and Trademark Office
Phone:
Fax: 703 872 9306

From: Daniel G. Chapik
Company:  **Medtronic**
Phone: 763 514 3066
Fax: 763 505 2530

Date: January 15, 2004

**Pages including this
cover page:** 5

Comments: RE: P-9153.01
Serial No. 09/775,281
Applicants: MCMenimen et al.
Filed: February 1, 2001
Title: RESPONSIVE MANUFACTURING AND INVENTORY CONTROL

Attached please find the following documents:

- X Transmittal
- X Response to Office Action
- X Terminal Disclaimer

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REJECTION OVER A PENDING SECOND APPLICATION**

Docket Number (Optional)

P9153.01

In re Application of: James L. McMenimen et al.

Application No.: 09/775,281

Filed: February 1, 2001

For: RESPONSIVE MANUFACTURING AND INVENTORY CONTROL

The owner*, MEDTRONIC, INC. of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 09/775,282 filed on February 1, 2001, of any patent on the pending second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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2. ☒ The undersigned is an attorney or agent of record.

Signature

Date

Daniel G. Chapik (Reg. No. 43,424)

Typed or printed name

(763) 514-3066

Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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NO. 8948 P. 2/5

DOCKET NO.: P-9153.01

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
AMENDMENT TRANSMITTAL

In re Application of: James L. McMenimen et al.
For: RESPONSIVE MANUFACTURING AND INVENTORY CONTROL
Serial No.: 09/775,281
Filed: February 1, 2001

CERTIFICATE UNDER 37 CFR §1.8 I hereby certify that this Amendment and Transmittal and the paper(s), as described herein are being sent to telefacsimile No. (703) 872 9306, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 15th day of January, 2004.

Molly Chlebeck
Signature
MOLLY CHLEBECK
Printed Name

Mail Stop NON-FEE AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

We are transmitting herewith the attached:

- X Response to Office Action
- X Terminal Disclaimer

- ☐ Applicant hereby petitions for _____ months' extension of time. If an additional extension of time is required, please consider this petition therefor.
- ☒ Please charge Deposit Account No. 13-2546 in the amount of **\$110.00** for the terminal disclaimer fee.
- X Please charge any additional fees or credits to Deposit Account No. 13-2546 which may have been overlooked on this Amendment Transmittal with regard to this filing. A duplicate of this transmittal is enclosed.
- X Applicant believes that no extension of time is required. However, if an extension of time is required, please consider this a petition therefor to provide for the possibility that applicant has inadvertently overlooked the need for an extension of time.

Date

1/14/04

Daniel G. Chapik
Daniel G. Chapik, Reg. No. 43,424
Telephone: (763) 514-3066
Customer No. 27581